

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Robert J. Lawson,)	
)	C/A No.: 3:06-3344-MBS
Plaintiff,)	
)	
vs.)	
)	
Taylor Javis, Head Social Worker,)	O R D E R
)	
Defendant.)	
)	

Plaintiff Robert J. Lawson is under civil commitment with the South Carolina Department of Mental Health. Plaintiff, appearing pro se, alleges that he does not "have any charges" against him and that Defendant will not "help [Plaintiff] get out" or help Plaintiff 'get [his] disability.' Plaintiff seeks his "benefits for the medicine giving me cancer, and my retirement, I'm 62 years old."

See generally Complaint (Entry 1).

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Joseph R. McCrorey for pretrial handling. The Magistrate Judge reviewed the complaint pursuant to the provisions of 28 U.S.C. § 1915. On December 5, 2006, the Magistrate Judge filed a Report and Recommendation in which he recommended that the case be dismissed because Plaintiff has failed to state a claim against Defendant. The Magistrate Judge recommended that the action be dismissed without prejudice and without issuance and service of process. Plaintiff filed no response to the Report.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of any portions of the Report and Recommendation to which a specific objection is

made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has thoroughly reviewed the record. The court concurs in the Report and Recommendation of the Magistrate Judge and incorporates it herein by reference. The case is dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

January 3, 2007.

Columbia, South Carolina

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.